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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,075	04/13/2001	Kenneth S. Araujo	Netilla-2/APP	3873
7265	7590	11/05/2004	EXAMINER	
MICHAELSON AND WALLACE PARKWAY 109 OFFICE CENTER 328 NEWMAN SPRINGS RD P O BOX 8489 RED BANK, NJ 07701			REFAI, RAMSEY	
			ART UNIT	PAPER NUMBER
			2154	
DATE MAILED: 11/05/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/835,075	<b>Applicant(s)</b> ARAUJO ET AL.	
	<b>Examiner</b> Ramsey M Refai	<b>Art Unit</b> 2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1 – 46 are presented for examination.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 4, 8, 10-17, 21, 23-27, 31, 33-40, 44 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al (U.S. Patent No. 6,571,245) in view of Zhu et al (U. S. Patent No. 6,691,154) and in further view of Burgess et al (U.S. Patent No. 5,796,663).

4. As per claim 1, Huang et al teach an apparatus for monitoring a local area network (LAN) through a remote administrative web site, the apparatus comprising:

a service enablement platform (SEP) for connection to the LAN and for connection, through a wide area network (WAN) connection, to the administrative web site (**Figure 2, 230 site server provides link and column 4, lines 47-49**), wherein the SEP comprises:

a processor (**Figure 15 and column 18, lines 62 – column 19, line 20; servers contain processors**);

a memory, connected to the processor, for storing computer executable instructions therein (**Figure 15 and column 18, lines 62 – column 19, line 20**); and

first and second network interfaces, operable in conjunction with the processor, for communicatively interfacing the SEP, through a first network connection, to the WAN (**Figure 2 and column 4, lines 26-40; site server is connected to the internet through firewall which allows remote computers to connect to site server**) and, through a second network connection, to the LAN, respectively (**Figure 2 and column 1, lines 40 – 47, column 4, lines 47 –67 and column 5 lines 35 –54**).

5. Huang et al fails to teach monitoring operational status of a monitored entity so as to detect an alarm condition resulting from an operational failure in the monitored entity, the monitored entity , at least one of the first and second connections or at least one of a plurality of servers residing on the LAN; generates, in response to the alarm condition, an alarm message containing information related to the alarm condition; converts the alarm message into a predefined format suitable for communication over a web connection so as to yield a web-communicable alarm message; and transmits the web-communicable alarm message, via the WAN interface and the first network connection, to the administrative web site which, in response to receipt of the web-communicable alarm message: extracts the alarm information from the web-communicable alarm message so as to define extracted alarm information.

6. However Zhu et al teach monitoring operational status of a monitored entity so as to detect an alarm condition resulting from an operational failure in the monitored entity (**column**

**3, lines 38-40**), at least one of the first and second connections or at least one of a plurality of servers residing on the LAN (**column 3, lines 38-40; local unattended server**); generates, in response to the alarm condition, an alarm message containing information related to the alarm condition (**column 3, lines 41-45**); converts the alarm message into a predefined format suitable for communication over a web connection so as to yield a web-communicable alarm message (**column 3, lines 41-58**); and transmits the web-communicable alarm message, via the WAN interface and the first network connection (**column 3, lines 9-13; internet browser and column 3, lines 50-58**), to the administrative web site which, in response to receipt of the web-communicable alarm message: extracts the alarm information from the web-communicable alarm message so as to define extracted alarm information (**column 3, lines 40-45 and lines 59-67**).

7. In addition, Huang et al fail to teach updating a record in a database, maintained by the administrative web site and associated with the SEP, to reflect the extracted alarm information.

8. However, Burgess et al teach updating performance data recorded in a central database on a second computer coupled to the computer network after an alert has been generated once the performance level has reached an alterable level (**abstract and column 2, lines 35-45**).

9. It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Zhu et al and Burgess et al to Huang et al's apparatus because Zhu et al's use of a monitoring application status and event flags to identify

alarm conditions and Burgess et al's use of a database in Huang et al's apparatus would allow for monitoring applications to alert for external support from remote administrative web sites and store the alarm data on a database in order to monitor usage trends and analyze historical performance of computers.

10. As per claim 2, Huang et al fails to teach forming an HTTP message containing the alarm information; and encrypts the HTTP message to form the web-communicable message.

11. However, Zhu et al teach a remote expert using Windows Internet Explorer can view a flag that contains information regarding the status of a monitored server and can **(column 3, lines 9-13 and column 3, lines 38 – 45)**. It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Zhu et al and Burgess et al to Huang et al's apparatus because Zhu et al's use of a monitoring application status and event flags to identify alarm conditions and use of HTTP messages with Burgess et al's use of a database in Huang et al's apparatus would allow for a monitoring entity to view and receive status information regarding monitored computers using a web browser and store this information in a database for future references.

12. As per claim 3, Huang et al teach a web client executed by the processor **(Figure 2; 210, Figure 3 and Figure 4)** and the administrative web site comprises a web server **(Figure 2; site server)** with the HTTP message being transported, via the WAN and over a web connection, from the web client to the web server **(Figure 4; and column 7, lines 11-32)**.

13. As per claim 4, Huang et al teach signing the HTTP message using a private key associated with the SEP prior to encrypting the HTTP message (**column 15, lines 12-59 and 45-64**).

14. As per claim 8, Huang et al teach decryption of the HTTP message so as to define a decrypted HTTP message (**column 15, lines 12-59**); authenticates the decrypted HTTP message using a signature contained within HTTP message (**column 15, lines 12-59 and 45-64**); and if the decrypted HTTP message is authentic (**column 15, lines 12-59 and lines 45-64**), updates the record in the database in response to alarm information carried in decrypted HTTP message (**Figure 13A and column 15, line 59 – 66; information can be of any type**).

15. As per claim 10, Huang et al teach an administrative web site wherein the database contains a plurality of customer records, where each of a plurality of customer records is associated with a corresponding one of a plurality of different servers and each of the different servers is associated with a different one of a plurality of LANs such that all of said LANs are monitored through the administrative web site (**column 4, lines 35 – 55; records can include correspondence to particular SEP**).

16. As per claim 11, Huang et al teach a WAN comprises either a private or a publicly accessible communications network (**Figure 1 and abstract; Internet**).

17. As per claim 12, Huang et al teach a publicly accessible communications network is the Internet (**Figure 1 and abstract**).

18. As per claim 13, Huang et al teach the use of an SEP (**Figure 2, site server**).

19. Huang et al fail to teach in response to the stored instructions and if a plurality of alarm messages exists, prioritizes and queues each of the plurality of alarm messages from the a computer for transmission to the administrative web site.

20. However, Burgess et al teach tracking of important events on an event queue (**Figure 3**) occurring on individual computers and forwarding these events to a central monitoring location so that an operator may take action in response to those events according to priority (**column 2, lines 54 – 63**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Zhu et al and Burgess et al to Huang et al's apparatus because Zhu et al's use of a monitoring application status and event flags to identify alarm conditions and Burgess et al's use of a database and an event queue in Huang et al's method would allow for a monitoring entity to view alarms organized in an event queue according to priority level in order to take action according to the most urgent event.

21. As per claim 14, Huang et al teach administrative website (**Figure 4; 420**) downloads to memory a corresponding pre-defined configuration profile which specifies an operational and network environment of the LAN for subsequent use in initializing the SEP (**column 8, lines 28-62**).



22. As per claim 15, Huang et al teach a profile is communicated through an HTTP message between the administrative web site and the SEP (**Figure 4 and column 8, lines 28-62**).

23. As per claim 16, Huang et al teach a web client executed by the processor and the administrative web site comprises a web server (**Figure 2**) with the HTTP message (**Figure 4**) being transported, via the WAN and over a web connection, from the web client to the web server (**Figure 2**).

24. As per claim 17, 21, 23-27, 31, 33-40, 44, and 46, these claims are similar to claims 1-4, 8, 10-16 above, therefore are rejected under the same rationale.

25. Claims 5-7, 9, 18-20, 22, 28-30, 32, 41-43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang et al (U.S. Patent No. 6,571,245) in view of Zhu et al (U. S. Patent No. 6,691,154) in further view of Burgess et al (U.S. Patent No. 5,796,663), and yet in further view of "Live Data from WDDX", Lisa Rein (hereinafter Rein), October 06, 1998, [www.xml.com/pub/a/98/10/wddx21.html](http://www.xml.com/pub/a/98/10/wddx21.html).

26. As per claim 5, Huang et al, Zhu et al, and Burgess et al fail to teach converting the alarm information in the alarm message into extensible markup language (XML); and forming the HTTP message as containing the XML.

27. However, Rein teaches the serialization of existing JavaScript objects into a packet in WDDX, an XML document, and can be used for making HTTP requests for data **(page 2)**. It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rein to Huang et al, Zhu et al, and Burgess et al's apparatus because Rein's use of WDDX in Huang et al's system would allow for monitored applications to send flags that contain status information using different programming languages which are then stored in a database for a later viewing by a remote expert, wherein a monitoring entity can use WDDX to exchange complex data between different Web programming languages.

28. As per claim 6, Huang et al, Zhu et al, and Burgess et al fail to teach converting the alarm information message in the alarm message into a corresponding WDDX hash structure; and translating the WDDX hash structure into the XML.

29. However, Rein teaches a WDDX packet that represents a hash table that can be expressed in XML **(page 2-4)**. It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rein to Huang et al, Zhu et al, and Burgess et al's apparatus, because Rein's use of converting a message into a WDDX hash structure in Huang et al's apparatus would enable exchange of data between different Web programming languages by converting the native data structures into an abstract representation of XML, converting a message into a WDDX hash structure and translating the WDDX hash structure into XML.

30. As per claim 7, Huang et al, Zhu et al, and Burgess et al fail to teach, wherein the XML, into which the WDDX hash structure is converted, is serialized .

31. However, Rein teaches a packet in WDDX, an XML document, is serialized (**page 2**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rein to Huang et al, Zhu et al, and Burgess et al's apparatus because Rein's use of converting a message into a WDDX hash structure in Huang et al's apparatus would enable exchange of data between different Web programming languages by converting the native data structures into an abstract representation of XML, wherein a message is converted into a WDDX hash structure and serializing the WDDX hash structure into XML.

32. As per claim 9, it is rejected under the same reasons as claim 8 above.

33. However, Huang et al, Zhu et al, and Burgess et al fail to teach converting XML contained within the decrypted HTTP message into a received WDDX hash structure.

34. Rein teaches deserializing a packet, an XML document, into a WDDX data structure to get data from each packet (**page 1-3**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Rein to Huang et al, Zhu et al, and Burgess et al's apparatus Rein's use of WDDX in Huang et al's apparatus would allow a monitoring entity to communicate with devices with a different programming language allowing for monitored applications to send flags that contain status information using different programming languages which are then stored in a database for a later viewing by a remote expert by decrypting the data into a native data structure.

35. As per claims 18-20, 22, 28-30, 32, 41-43 and 45, these claims are similar to claims 5-7 and 9 above, therefore are rejected under the same rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Staples et al (U.S. Patent No. 6,301,339)
- b. Staples et al (U.S. Patent No. 5,764,639)
- c. Dowling et al (U.S. Publication No. 2003,0185195)
- d. Simeonov, "WDDX: Distributed Data for the Web", September 30, 1998,  
<http://www.webspace.it/cfdocs/wddxoverview.htm>

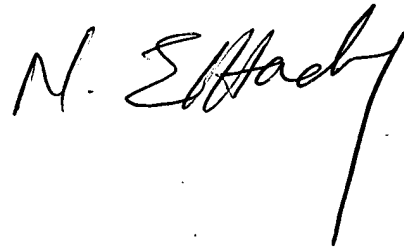
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey M Refai whose telephone number is (703) 605-4361 (after November 1, 2004 (571) 272-3975). The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey M Refai  
Examiner  
Art Unit 2154

RMR  
October 20, 2004

A handwritten signature in black ink, appearing to read "N. Eftachy". The signature is written in a cursive style with a long vertical stroke extending downwards from the end.